

**WOODSTOCK PLANNING & ZONING COMMISSION
REGULAR MONTHLY MEETING
THURSDAY, SEPTEMBER 17, 2015 AT 7:30 PM
WOODSTOCK TOWN HALL, MEETING ROOM 1**

I. MONTHLY MEETING AT 7:30 PM

- a. Call to Order – Meeting was called to order by Jeff Gordon at 7:32p.m. Noted that there is a quorum.
- b. Roll Call – Jeff Gordon, Joseph Adiletta (7:40 arrival), Dexter Young, Doug Porter, John Anastasi, Fred Rich, Ken Ebbitt, Delia Fey (Town Planner), Laura Cournoyer-Gagne (Recording Secretary)
- c. Absent – Dorothy Durst, Duane Frederick, Gail Dickinson, Travis Sirrine, Syd Blodgett. Noted for the record that D. Durst is away, and G. Dickinson & T. Sirrine had to work.

II. DESIGNATION OF ALTERNATES – Doug Porter & Ken Ebbitt

III. CHAIR’S REPORT – J. Gordon revised agenda added a new business item (6a). Thanked everyone for attending meetings and subcommittee meetings and for work done in the office.

IV. MINUTES

- a. Regular Meeting Minutes of August 20, 2015 **MOTION TO ACCEPT MINUTES AS PRESENTED MADE BY D. YOUNG, SECONDED BY F. RICH. MOTION PASSED UNANIMOUSLY.**

V. CITIZENS COMMENTS

- a. Jean Pillo: Eastern CT Conservation District: brief update on projects in Woodstock: funded through EPA to do water quality study, not done since 1980’s and doing healthy watershed initiative for upper Nachaug River includes Still River & Bungee Brook, to develop manual for storm water runoff.

VI. NEW BUSINESS

- a. Certificate of Approval for bakery or food manufacturer: Woodstock Hill Preserves, Maureen Estony, 651 Brickyard Road – existing home occupation, state now requiring this license. D. Fey: this has been an existing business since 2003, needs a license to remain open. **MOTION TO ACCEPT AS SUBMITTED MADE BY J. ADILETTA, SECONDED BY J. ANASTASI. MOTION PASSED UNANIMOUSLY.**

MOTION TO MOVE ITEM #9 ZEO REPORTS BEFORE ITEM #7 PUBLIC HEARING MADE BY J. ANASTASI, SECONDED BY K. EBBITT. MOTION PASSED UNANIMOUSLY.

VII. ZEO REPORT

- a. Report on Zoning Enforcement – August/September 2015
 - 619 Rte 198: property with 3 dwellings, and only record of 2, no further response from owners. Next step in filing a law suit against property owner. **MOTION TO PROCEED WITH LEGAL ACTION MADE BY J. ADILETTA, SECONDED BY J. ANASTASI. MOTION PASSED UNANIMOUSLY.**
 - 1026 Rte 171: Bank is cleaning up.
 - 6 Lyon Rd: getting dumpster, follow up inspection in October.
 - 1374 Rte 171: tenants given an extension.
 - 4 Perrin Rd: property foreclosed on, bank cleaning.
 - 10 Oakhill Lane: few inquiries from potential buyers about resolving issues.
 - 48 Ojala Rd: no response as yet, letter of cease and desist is next step. If no response, bring back to PZC.
- b. Report on Zoning Permits – August/September 2015

NOTE FOR RECORD: J. ADILETTA DID LISTEN TO LAST MONTH’S MEETING AUDIO.

VIII. PUBLIC HEARING – 7:45 P.M.

- a. #547-06-08m Charles Rosenfield, Rocky Hill & Ojala Roads – Proposed resubdivision to change previously approved subdivision to merge 11 building lots +3 open space lots into 1 conservation lot (Map 6389, Block 70, to merge lots 13-5 thru

13-18) New document received: Email from D. Fey to Attorney Cotnoir dated 9/8/15, email from D. Fey to Town Attorney date 9/9/15, email from Town Attorney to D. Fey date 9/11/15. Attorney Cotnoir is in attendance representing the applicant. From last meeting: the technical issue regarding the manner in which the road in the previously approved subdivision and conservation easement must be handled for the current proposal was discussed. The land trust approved the transfer however, the title company has concerns. Applicant is asking PZC to go ahead and approve the application and recommended that the easements and the road be re-conveyed back to the owner. Town Attorney has agreed with proposal but suggests 2 conditions. Attorney Cotnoir is asking for an approval without any formal conditions since the PZC cannot condition based on the actions of a separate board. Leslie Sweetnam: in favor of the Smith's owning the property.
MOTION TO CLOSE PUBLIC HEARING MADE BY J. ADILETTA, SECONDED BY D. YOUNG. MOTION PASSED UNANIMOUSLY.

b. #625-07-15 Dean Carlage, Smith Road – Activity on a Scenic Road: request to triple chipseal gravel portion of the road. New documents received: memo from D. Fey dated 8/25/15, email from J. Navarro to D. Fey dated 9/9/15, email from J. Navarro to D. Carlage dated 8/19/15, notice from PZC submitted by J. Pillo dated 9/2/88, letter from Timothy Dodge dated 5/24/88, email dated 9/20/15 from J. Pillo to D. Fey, email from J. Pillo to D. Fey dated 9/8/15, copy of petition of those in support of application, list and map of property owners on Smith Rd. dated 9/16/15.

J. Navarro was invited to attend the meeting but was unavailable. Note for record: acting under authority of Town Ordinance, concerning the designation of scenic roads, sec 4, sub sec a. D. Fey: someone had asked about where people lived on Smith Rd so she created a map. D. Carlage: email sent to 52 people regarding chipseal, was told that other scenic roads may end up being chipsealed as well. [This referenced email was never submitted to PZC.] PZC has been forwarded info from New Hampshire & Pennsylvania. D. Carlage has done much work in front of his house because of the road problem. He called the Town Selectman and he is in favor of chipsealing Smith Rd. He believes this will benefit home owners on the dirt section, and cost savings to the Town. Charles Heckler: Smith Rd is not the same as other scenic roads, not in favor of the chipsealing. Dust is not a viable argument to use for chipsealing. The problem is the road hasn't been properly maintained, if going with the chipsealing then should remove from scenic road list.

J. Pillo: showing photos of Smith Rd after it had rained, photo shows water pooling, and it had only rained for about an hour. Water is eroding the side of the road, and is forced to stay on the road due to a small berm created when gravel road is graded and thus prevents water from getting into nearby swale. She is not in favor of chipsealing and recommends maintenance on the road. J. Pillo is a certified professional for E&S control but not an engineer. Dorinda Lundin: undecided about chipsealing, if water diversion & chipseal could be combined this would be ultimate solution. She would like to hear from J. Navarro directly as to how our roads are being tended to. Leila Phillips: not correct that majority want chipsealing. Not cost effective over time. She is against it because she hasn't seen it work. Tom Dresp: against chipseal, number of different things could be done for dust problem. Chipseal could affect drinking water for property owners and animals. Alexandra Lyman: against chipseal on scenic roads. These scenic roads are more heavily used by pedestrians and bicyclists than cars. PZC should uphold ordinance. Molly King O'Connell: sent letter for last meeting, has problem with her voice because of the dust. There is a safety issue after it rains because the road is so badly eroded that it becomes a single lane road. Tim Dodge: helped establish "scenic" roads, economic benefits bring tourists to town, chipsealing is not the answer, still problem with drainage. Bet Zimmerman Smith: on Conservation Commission and has experienced dust when she lived on a dirt road (Shaw Rd), when she heard that road was being paved, she had sent letters to Town and got no response. The tarring changed the road. She recommends giving significant weight to concerns of residents on the road but also to consider alternatives. She thinks chipsealing will increase the speed of the flowing water. Carol Thibeault: has seen the dust, it's seasonal, temporary. She believes chipsealing is only a bandage and not a solution. Jock McClellan: concerns are legitimate and rural quality is very popular. A group to meet with J. Navarro to find solutions and states he drives in Vermont and they apparently do not have the problems that we have. Link to websites listed as received. D. Carlage: showing photo from last meeting: photo shows erosion, chipsealing would be good for 6-7yrs. Response to truck spraying water: it won't happen, dust in 6 months out of the year and not "seasonal". The calcium chloride alternative is too expensive. J. Pillo: 2 people don't make a town and Alexandra Lyman agrees. D. Carlage: Comments that J. Navarro may get frustrated at town meetings and it seems like he doesn't get enough credit. J. Gordon: noted for the record that the Highway Foreman and the Commission work well together. The Commission appreciates the Highway Foreman's expertise and thanks both the Highway Dept and Foreman for the work they do for our town. John Anastasi: would like to have J. Navarro answer questions. Carol Thibeault: erosion has been going on for decades and has never been addressed. F. Rich: Vermont adds recycled asphalt to sand to help compact gravel roads. Smith Rd will remain a scenic road. There are many scenic roads in Woodstock that are paved. J. Adiletta: application specifically states to chipseal the road, but after listening to everyone, more problems other than chipsealing. Highway Dept. should address the issues. J. Gordon: application is for triple chipsealing the dirt section of Smith Rd. PZC doesn't have authority to make changes. J. Navarro is the expert and would like

to hear from him. F. Rich: if vote to chipseal then that is all that can be done, culverts don't fall under PZC. J. Gordon: would need written letter from applicant to continue public hearing.

J. McClellan: in favor of continuing the public hearing, would like J. Navarro's opinion on the plan for scenic roads. J. Gordon: process to follow: allowed to extend public hearing; requires a written request. Mr. Heckler: we all know that Smith Rd will remain a scenic road but chipsealing will change view of the road. Bet Zimmerman Smith: paving a road does make it less rural, she walks on Barber Rd all the time and there is not dust on it. Highway Dept. member lives on that road, possible that what is being done there could be done on Smith Rd. D. Carlage: shows photos of other roads with chipseal on them. D. Porter: urges PZC to either make a motion or close, things are getting repetitious. D. Carlage would have to give written approval to continue. Request was submitted. **MOTION TO CONTINUE MADE BY D. PORTER, SECONDED BY J. ANASTASI. MOTION PASSED UNANIMOUSLY. PUBLIC HEARING CONTINUED TO OCTOBER 15, 2015 @ 7:45 P.M. Invitation will be sent to J. Navarro to attend next Public Hearing.**

IX. OLD BUSINESS

a. #547-06-08m Charles Rosenfield, Rocky Hill & Ojala Roads – Proposed resubdivision to change previously approved subdivision to merge 11 building lots +3 open space lots into 1 conservation lot (Map 6389, Block 70, to merge lots 13-5 thru 13-18) **MOTION TO APPROVE THE PROPOSED RESUBDIVISION MADE BY D. PORTER, SECONDED BY J. ADILETTA.**

Discussion: General consensus, no downside from the town's point of view. Adiletta supports motion but feels it is important to read into the minutes, make part of the record the two conditions recommended by the Town Attorney so that the applicant is aware and has indicated their agreement to comply with these. D. Fey recommends not making conditions but better to word as an "understanding". J. Adiletta agrees to this amendment to term as such. 1) The road and easements be released and conveyed back to the owner by the town and; 2) The approval of the form of the subsequent conservation easement by the Town Attorney is made prior to the recording. **MOTION PASSED UNANIMOUSLY**

b. #625-07-15 Dean Carlage, Smith Road – Activity on a Scenic Road: request to triple chipseal gravel portion of the road. **Continued Public Hearing to November 15, 2015.**

X. BUDGET REVIEW AND BILLS

- a. Bills: None
- b. Budget Review: None

XI. CITIZENS COMMENTS - NONE

XII. CORRESPONDENCE

- a. CT Siting Council, 1825 Rte 198 – Verizon notice for intent to modify
- b. Letter dated 9/8/15 from Alexandra Lyman re: Scenic Roxbury Rd maintenance, note for record email from John Navarro to Delia Fey dated 9/14/15
- c. Land Use Academy Training, 10/24/15, Middlesex County Ext. Office, Haddam

XIII. MINUTES OF OTHER BOARDS AND COMMISSIONS – ZBA denied request, didn't meet legal hardship to allow the variance.

XIV. OTHER – NONE

XV. ADJOURNMENT

MOTION TO ADJOURN MADE BY D. YOUNG, SECONDED BY F. RICH. MOTION PASSED UNANIMOUSLY @ 9:43 PM.

Respectfully submitted,

Laura Cournoyer-Gagne, Recording Secretary **DISCLAIMER:**

These minutes have not yet been approved by the Planning & Zoning Commission. Please refer to next month's minutes for approval/amendments. Please note that the audio recording is the legal record of the meeting.